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Dated: 1/8/04

Signature: Joanne Ryan  
(Joanne Ryan)

Docket No.: BVTP-P02-004  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Willis et al.

Application No.: 10/658116

Confirmation No.: 9687

Filed: September 8, 2003

Art Unit: 3763

For: INJECTION DEVICE

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached Form PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

In accordance with 37 C.F.R. 198(d), patent(s) or publication(s) listed on the attached Form PTO/SB/08 are not supplied because they were previously cited by or submitted to the Office in prior application number 09/755906, filed January 5, 2001, which is relied upon in this application for an earlier filing date under 35 U.S.C. 120.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such (37 CFR 1.97(h)). Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents should one or more of the documents be applied against the claims of the present application.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. BVTP-P02-004.

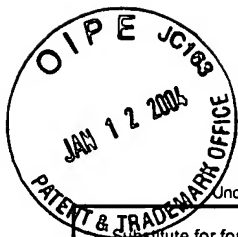
Dated: January 8, 2004

Respectfully submitted,

By 

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PTO/SB/08a/b (06-03)

Approved for use through 07/31/2003. OMB 0651-0031

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<b>Substitute for form 1449A/B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete If Known</b>	
				Application Number	10/658116
				Filing Date	September 8, 2003
				First Named Inventor	John P. Willis
				Art Unit	3763
				Examiner Name	C. Rodriguez
Sheet	1	of	1	Attorney Docket Number	BVTP-P02-004

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-3,802,430	04-09-1974	Schwebel et al.	
	AB	US-5,304,128	04-19-1994	Haber et al.	
	AC	US-6,616,027-B2	09-09-2003	Mochizuki, Naoto	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	BA	EP 0 331 855 A2	09-13-1989	Biolistics, Inc.		
	BB	WO-95/24176-A1	09-14-1995	Bioject, Inc.		
	BC	WO-99/21609-A1	05-06-1999	Sarcos, Inc.		
	BD	WO-00/10630-A1	03-02-2000	Weston Medical Limited		
	BE	WO-00/48654-A1	08-24-2000	Bioject, Inc.		
	BF	WO-01/00346-A1	01-04-2001	Industrial Automation Services Pty Ltd		
	BG	WO-01/05451-A1	01-25-2001	SNPE		
	BH	WO-01/05452-A1	01-25-2001	SNPE		
	BI	WO-01/13975-A2	03-01-2001	Bioject, Inc.		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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